IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO. 3001 OF 2007

Sangram Kundlik Dhawade
and another. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

S.V.Kotwal for the applicant.

Rajesh More, APP for the State.

CORAM: V.C.DAGA, J.

DATED: 1st October 2007.

P.C.:

. Heard learned counsel for the applicants and learned A.P.P. for the State.

2. The learned counsel for the applicants sought to raise certain grounds and legal contentions, which were not raised before the Court below. The Court below did not have an opportunity to consider that aspect of the matter.

3. In the above view of the matter, by consent of parties, without examining merits and/or demerits of the impugned order, the said order is set aside. Proceedings are remitted back to the Sessions Court for decision afresh on merits in accordance with law. All rival contentions are kept open.

4. Application stands disposed of in terms of this order.

JUDGE